IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA NO. 297 of 2006
Date of Decision. January 18 , 2007

Sanjiv Kumar and others .....Petitioners

Versus

Surinder Kumar and others .....Respondents

CORAM **HON'BLE MR. JUSTICE VINEY MITTAL**

PRESENT None for the petitioner.
Mr. Rakesh Garg, Advocate
for respondent .

VINEY MITTAL , J(Oral)

A suit for partition filed by the plaintiff Surinder Kumar has been decreed by the trial Court. Appeal filed by some of the defendants has been dismissed by the Appellate Court.

Both the Courts below have found it as a matter of fact that plaintiff Surinder Kumar was entitled to his share in the suit property on the basis of will dated March 19, 1993 executed by Mehar Chand, father of plaintiff Surender Kumar and grand father of the defendants. The execution of the aforesaid will has been held to be duly proved. Counter will set up by the defendants has been rejected by the two Courts below having not been duly proved.

After perusal of the findings recorded by the two Courts below , I do not find any justification to interfere in the present regular second appeal.

I do not find that the aforesaid findings suffer from infirmity or can be held to be contrary to law.

No question of law, much less, any substantial question of law arises in the present appeal.

Dismissed.

January 18, 2007 **(VINEY MITTAL)**
mamta **JUDGE**